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3 **UNITED STATES DISTRICT COURT**  
4 **DISTRICT OF NEVADA**

5 ROBERT B. TURNER III,

6 Plaintiff,

7 v.

8 NATIONAL DEFAULT SERVICING  
9 CORPORATION, *et al.*,

10 Defendants.

Case No. 2:11-CV-01460-KJD-PAL

11 **ORDER**

12 Plaintiff's complaint was filed in Nevada state court on July 7, 2011. Federal Rule of Civil  
13 Procedure 4(m) requires service of summons and complaint to be made upon a defendant 120 days  
14 after the filing of the complaint. The 120 day time period for effecting service of the summons and  
15 complaint upon Defendant expired no later than November 7, 2011. Plaintiff has not yet filed proof  
16 of service of the summons and complaint on the sole remaining defendant, National Default  
17 Servicing Corporation.

18 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have up to and including  
19 November 28, 2011 to file proof of service of the summons and complaint within the allowed time.  
20 If Plaintiff fails to respond or to file proof of service, the Court will dismiss the complaint against the  
21 remaining defendant without prejudice in accordance with Federal Rule of Civil Procedure 4(m).

22 DATED this 9<sup>th</sup> day of November 2011.

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26 Kent J. Dawson  
United States District Judge